

Remarks

The Applicant has carefully reviewed and considered the Examiner's Office Action dated January 25, 2008. Reconsideration is respectfully requested in view of the following comments.

By this Amendment, claims 1, 9, 12 and 20-21 are amended and claims 3, 7 and 15 are canceled. Accordingly, Claims 1-2, 4, 6, 8-13, 16-17 and 19-21 are pending in the present application. 15 total claims are pending with 4 independent claims.

Claims 1-2, 4, 6, 8, 10, 12-13, 16 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0025288 to Yanase et al. (hereinafter referred to as "Yanase"). Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanase. Claims 9, 11, 15, 17, 20 and 21 were rejected as being unpatentable over Yanase in view of U.S. Patent Application Publication No. 2003/0007397 to Kobayashi et al. (hereinafter referred to as "Kobayashi"). Claims 10 and 16 were rejected as being unpatentable over Yanase in view of U.S. Patent No. 5,530,794 to Luebbert. These rejections are respectfully traversed.

As explained in lines 15-26 on page 5 of the originally filed specification, the claimed invention has a document kind discriminating section 1, which discriminates the kind of an inputted electronic document in order to reference discrimination pattern data in the discrimination storing section 4 to determine a division pattern and a labeling pattern to be applied. That is, according to the claimed invention, dividing patterns are applied to the inputted electronic document and determined by the document dividing means of the claimed invention **based on** the result of discrimination by the document kind discriminating means of claims 1 and 20 (document discriminating step of claims 12

and 21).

Yanase, to the contrary, does not disclose dividing patterns of the claimed invention. The Office Action states: “Yanase et al discloses the separating of news articles in an electronic mail format (Paragraph 0084), but fails to specifically disclose the division pattern is to be applied regardless of the kind of an electronic document.” Thus, the Examiner recognized that Yanase did not disclose division patterns stored in the information partitioning apparatus, let alone stored division patterns being applied to a document based on the results of the document kind discriminating means or step of independent claims 1, 20 or 12, 21 of the present application.

With respect to the claimed labeling patterns of the present application, Yanase fails to disclose labeling patterns selected based on the result of discrimination by the document kind discriminating means. Instead, the Examiner states that “[Yanase] is able [to] label the title and text of the article shown in Fig. 8 (Paragraph 0084) applied to any inputted document”. As shown in Figures 7-8 of Yanase, the distributed electronic mail has the structural information (i.e., characters separating the title from the text) when it is inputted. While the Examiner responds to this argument on page 15 of the Action, the Examiner confirms that Yanase merely searches the inputted document for patterns that follow the predetermined rules. There is no disclosure in Yanase of adding division patterns based on the results of the document kind discriminating means or step to the inputted or distributed electronic mail, or adding stored labeling patterns to respective partial documents as claimed by Applicant. Consequently, Yanase cannot render the claimed invention obvious because it fails to disclose all of the claimed elements.

While the secondary reference to Kobayashi may disclose a method that is able to

determine if the text data is in the HTML format, XML format or an e-mail message, this is not the claimed invention. The claimed invention has a specific feature of a managing means (document kind discriminating means) that enables the claimed invention to establish patterns flexibly, which is not disclosed by Kobayashi. Accordingly, even if combined, one of ordinary skill in the art would not have achieved the claimed invention which requires division pattern storing means, and document dividing means for applying one or plural stored division patterns to the inputted document in order to divide the document into plural partial documents. Since Yanase teaches against the claimed invention by inputting the structural information with the distributed electronic mail, it is respectfully submitted that one of ordinary skill in the art would not have considered modifying Yanase to include the elements required by the claimed invention in order to provide the inputted electronic document with division patterns so the document can be divided.

Since neither Yanase nor Kobayashi disclose the table (Figures 2-4 of the present application) that shows the discrimination pattern, division pattern or labeling pattern associated with a particular document kind, as required by the claimed invention, neither Yanase nor Kobayashi either alone or together can render the claimed invention unpatentable. The managing feature of the document kind discriminating means, or the tables for the division patterns and/or labeling enable the present invention to handle more complicated electronic documents, such as mail magazines and not just news information as taught by Yanase. See page 2, lines 11-22 and page 11, lines 17-20 of the present application.

The second secondary reference to Luebbert is directed to a method and system

for handling text that includes paragraph delimiters of differing formats. There is no disclosure in Luebbert of the recited “division pattern producing step” as Luebbert, like Yanase, fails to disclose the claimed invention where dividing patterns are applied to the inputted electronic document and determined by the document dividing means of the claimed invention **based on** the result of discrimination by the document kind discriminating means of claims 1 and 20 (document discriminating step of claims 12 and 21).

In contrast, Luebbert discloses scanning text of an electronic document searching for the occurrence of repeating “possible page delimiters” or character strings recognized as a page delimiter. That is, Luebbert does not add the delimiters, as required by the claimed invention. See page 12, line 5 through page 14, line 9 of the originally filed specification. It is respectfully submitted that the recited division producing means/step of the claimed invention is not disclosed or taught by the prior art of record.

For the above stated reasons, it is submitted that all of the claims are allowable over the prior art of record and are in condition for allowance. Therefore, it is respectfully submitted that this application be passed to issuance with claims 1-2, 4, 6, 8-9, 11-13, 17 and 19-21.

Should the Examiner believe that a conference would advance the prosecution of this application, he is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,



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